

Amendment and Response under 37 C.F.R. 1.116

Applicant: Gopalan Raman

Serial No.: 10/789,040

Filed: February 27, 2004

Docket No.: 200400043-1

Title: FLUID EJECTION DEVICE

REMARKS

The following Remarks are made in response to the Final Office Action mailed March 21, 2007, in which claims 1-23 and 43-57 were rejected.

With this Amendment, claims 1, 11, 13, 21, and 53 have been amended to clarify Applicant's invention.

Claims 1-23 and 43-57 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 112

Claims 1-8 and 43-46 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. More specifically, the Examiner contends that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

With this Amendment, independent claim 1 has been amended to recite that "the second angle is less than the first angle." This Amendment is being submitted to further prosecution, and should not be construed as acquiescence by Applicant in the rejection.

In view of the above, Applicant respectfully requests that the rejection of claims 1-8 and 43-46 under 35 U.S.C. 112, first paragraph, be reconsidered and withdrawn, and that claims 1-8 and 43-46 be allowed.

Claim Rejections under 35 U.S.C. § 103

Claims 1-8 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raman US Patent No. 5,912,685 in view of Baughman et al. US Patent No. 5,608,436.

Claims 11 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raman US Patent No. 5,912,685 in view of Weber et al. US Patent No. 5,734,399.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raman US Patent No. 5,912,685 in view of Weber et al. US Patent No. 5,734,399 and further in view of Pidwerbecki et al. US Patent No. 6,161,923.

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Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raman US Patent No. 5,912,685 in view of Weber et al. US Patent No. 5,734,399 in view of Burke et al. US Patent No. 5,666,143.

Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raman US Patent No. 5,912,685 in view of Baughman et al. US Patent No. 5,608,436 and further in view of Pidwerbecki et al. US Patent No. 6,161,923.

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raman US Patent No. 5,912,685 in view of Baughman et al. US Patent No. 5,608,436 and further in view of Burke et al. US Patent No. 5,666,143.

With this Amendment, independent claim 1 has been amended to clarify that the first peninsula and the second peninsula each have **"substantially parallel sides,"** clarify that **"the first fluid channel includes a first portion extended along the first peninsula and a second portion extended along the first sidewall, and the second fluid channel includes a first portion extended along the second peninsula and a second portion extended along the second sidewall,"** and clarify that **"the chamber extends into the second portion of the first fluid channel and the second portion of the second fluid channel."**

With this Amendment, independent claim 11 has been amended to clarify that **"the first fluid channel includes a first portion extended along the first peninsula and a second portion extended along the first sidewall, and the second fluid channel includes a first portion extended along the second peninsula and a second portion extended along the second sidewall,"** and clarify that **"the chamber extends into the second portion of the first fluid channel and the second portion of the second fluid channel,"** wherein **"a length of the first portion of the first fluid channel along the first peninsula is substantially parallel with a length of the first portion of the second fluid channel along the second peninsula."**

With respect to the Raman, Baughman, Weber, Pidwerbecki, and Burke patents, Applicant submits that these patents, individually or in combination, do not teach or suggest a fluid ejection device as claimed in independent claim 1, and do not teach or suggest a fluid ejection device as claimed in independent claim 11.

In view of the above, Applicant submits that independent claims 1 and 11, and the dependent claims depending therefrom, are each patentably distinct from the Raman,

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Baughman, Weber, Pidwerbecki, and Burke patents and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1-8 and 45, claims 11 and 51, claims 9 and 10, claim 12, claims 43 and 44, and claim 46 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1-12, 43-46, and 51 be allowed.

Claims 13-21, 47, 48, 52, 53, 56, and 57 are rejected under 35 U.S.C. 103(a) as being anticipated by Burke et al. US Patent No. 5,666,143 in view of Weber et al. US Patent No. 5,734,399.

Claims 22, 23, 49, 50, 54, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burke et al. US Patent No. 5,666,143 in view of Weber et al. US Patent No. 5,734,399 and further in view of Pidwerbecki et al. US Patent No. 6,161,923.

With this Amendment, independent claim 13 has been amended to clarify that **"the first fluid channel includes a first portion extended along the first side of the island and a second portion extended along the first chamfered corner of the island, and the second fluid channel includes a first portion extended along the second side of the island and a second portion extended along the second chamfered corner of the island,"** and clarify that **"the chamber extends into the second portion of the first fluid channel and the second portion of the second fluid channel,"** wherein **"a width of the first portion of the first fluid channel along the first side of the island is substantially constant, and a width of the first portion of the second fluid channel along the second side of the island is substantially constant."**

With this Amendment, independent claim 21 has been amended to clarify that the first peninsula and the second peninsula each have **"substantially parallel sides,"** clarify that **"the first fluid channel includes a first portion extended along the first peninsula and a second portion extended along the first sidewall, and the second fluid channel includes a first portion extended along the second peninsula and a second portion extended along the second sidewall,"** and clarify that **"the chamber extends into the second portion of the first fluid channel and the second portion of the second fluid channel,"** wherein **"the first sidewall as provided along the second portion of the first fluid channel is oriented substantially parallel with the first chamfered corner as provided along the first fluid channel, and the second sidewall as provided along the second portion of the second**

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fluid channel is oriented substantially parallel with the second chamfered corner as provided along the second fluid channel."

With this Amendment, independent claim 53 has been amended to clarify that "the first fluid channel includes a first portion extended along the first side of the island and a second portion extended along the first chamfered corner of the island, and the second fluid channel includes a first portion extended along the second side of the island and a second portion extended along the second chamfered corner of the island," and clarify that "the chamber extends into the second portion of the first fluid channel and the second portion of the second fluid channel," wherein "the first peninsula as provided along the first portion of the first fluid channel is oriented substantially parallel with the first side of the island as provided along the first portion of the first fluid channel, and the second peninsula as provided along the first portion of the second fluid channel is oriented substantially parallel with the second side of the island as provided along the first portion of the second fluid channel."

With respect to the Burke, Weber, and Pidwerbecki patents, Applicant submits that these patents do not teach or suggest a fluid ejection device as claimed in independent claim 13, do not teach or suggest a fluid ejection device as claimed in independent claim 21, and do not teach or suggest a fluid ejection device as claimed in independent claim 53.

In view of the above, Applicant submits that independent claims 13, 21, and 53, and the dependent claims depending therefrom, are each patentably distinct from the Burke, Weber, and Pidwerbecki patents and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 13-21, 47, 48, 52, 53, 56, and 57, and claims 22, 23, 49, 50, 54, and 55 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 13-23, 47-50, and 52-57 be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-23 and 43-57 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Donald J. Coulman at Telephone No. (541) 715-1694, Facsimile No. (541) 715-8581 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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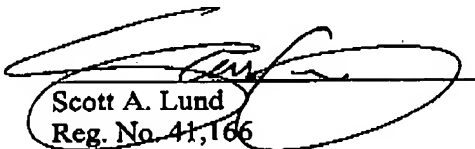
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 21st day of May, 2007.

By 
Name: Scott A. Lund